(3)
CHSJ

IN THE HIGH COURT OF JUDICATURE AT BILASPUR [CHHATTISGARH]

MISC.APPEAL. NO. 776 OF 2003 Division Bench

APPELLANTS/ CLAIMANTS

1. Smt. Bhagyalaxmi Jena, W/o Late Ramesh Kumar Jena Aged about 27 years,

2. Ku. Ankita Jena, D/o Late Late Ramesh Kumar Jena Aged about 27 years,

Appellant No. 2 being minor Through her legal guardian Mother Appellant No.1 Smt. Bhagyalaxmi Jena.

Both residents of Qtr. No.MD/ 279, Deepika Colony, Gevra, Tahsil Katghora, Dist. Korba Chhattisgarh.

P. R. No. 1866/03
Presented by Shri Sanjay Agrawal
dated 16.08.03

VERSUS

RESPONDENTS/ [DRIVER]

1. Vijay Bahadur Yadav, S/o Parasnath Yadav, aged about R/o Rajendra Nagar, Raipur

RESPONDENT/ [OWNER]

2. M/s Vishal Packaging, throu' Navbharat Udyog Bhawan, Ring Road No.1, Near Railway Crossing, Raipur [C.G]

RESPONDENT/ [INSURER]]

3. Divisional Manager, The Oriental Insurance Co. Ltd. Mahavir Gaushala Complex Maudahapara, Raipur [C G] Through Divisional Manager The Oriental Insurance Co. Ltd., Divisional Office, Oppt. High Court, Bilaspur [C.G]

APPEAL UNDER SECTION 173 OF MOTOR VEHICLE ACT 1988

Claim in Appeal valued at Rs.42, 67,500/-

Being aggrieved by the award dated 10-04-2003 passed by IVth Additional Motor Accident Claims Tribunal Bilaspur, District Bilaspur in Claim Case No. 19/2001 in case of Smt.

XI-HC-22

(132)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक .....M.A. No. 776..... **सन्** 2003

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

DIVISION BENCH:

HON'BLE SHRI A.K. PATNAIK, C.J.,
& HON'BLE SHRI V.K. SHRIVASTAVA, J.

02/05/2005

M.A.No.776/2003 and L.P.A.No.22/2005

Heard Mr. Sanjay K. Agrawal, Counsel for the appellants, Mr. Rajesh Pandey, Counsel for respondent No.2, Mr. Abhishek Sinha, Counsel for respondent No.3 in M.A.No.776/2003 and Mr. Rajesh Pandey, Counsel for the appellant and Shri Sanjay K. Agrawal, Counsel for respondents No. 1 and 2 and Mr. Ghanshyam Patel, counsel for respondent No.4 in L.P.A.No.22/2005.

These two appeals arise out of the award dated 10/04/2003 passed by IVth Additional Motor Accidents Claims Tribunal, Bilaspur in Claim Case No.19/2001.

Counsel for the parties state that in the meanwhile, the said award dated 10/04/2003 passed by IVth Additional Motor Accidents Claims Tribunal, Bilaspur in Claim Case No.19/2001 has been set aside on the application under Order 9, Rule 13 of the Code of Civil Procedure, by the owner of the vehicle. Hence these two appeals become infructuous.

In view of the above statement made by learned counsel for the parties, these two appeals are disposed of as infructuous.

(पीछे देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(133)

आदेश पत्रक

मामला क्रमांक ....M.A. No. 2761.... **सन्** 2003

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

The Tribunal, before whom the claim cases are now pending, will dispose of the same within a period of four months from the date of filing of certified copy of this order as the accident is said to be of the year 2000.

Parties are entitled for certified copy of this order.

Sd/-
Chief Justice

Sd/-
V.K. Shrivastava
Judge

(पीछे देखिये)

19/4/18